

### Remarks

Claims 1-11 and 14-15 are pending; and of these, claim 1 has been amended.

The Examiner has objected to the specification in noting that the term "Netscape," as used at page 9, line 20 of the specification, should be capitalized and accompanied by the generic terminology. The Examiner has objected to the drawings, and specifically to Figures 1 and 2. With respect to Figure 1, the Examiner states that the figure fails to comply with 37 CFR 1.84(p)(5) because it does not include the reference sign "14," which is stated in the specification at page 14, line 15 as referring to "content key 14." With respect to Figure 2, the Examiner has noted that the element S205 is misspelled; and specifically, that "Down load" should appear as "Download." The Examiner has also rejected claim 1 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement, and specifically because of the assertion that the specification does not mention or teach the "license control assistant program" that is claimed in claim 1.

Further, the Examiner has indicated the allowability of claims 1-11 and 13-15 if claim 1 is rewritten or amended to overcome the rejection under 35 U.S.C. 112, first paragraph. Applicant takes this opportunity to thank the Examiner for such indication.

As can be seen from the above amendments to both the specification and the drawings, Applicant has amended both the specification and the drawings in a manner which is believed to obviate further objection. In particular, (1) the term, "NETSCAPE," has been presented as such so as to properly indicate its status as a trademark, (2) the reference numeral "14" has been deleted from the phrase, "content key 14," as used in the specification, and (3) the term, "DOWN

LOAD,” as used at S205 of FIG. 2, has been revised to read, “DOWNLOAD.” Accordingly, it is respectfully requested that the objections to the specification and the drawings be withdrawn.

With respect to the Examiner’s assertion that Applicant’s featured “license control assistant program” is not mentioned or taught in Applicant’s specification, such assertion is respectfully traversed. Claim 1 has been amended to remove the word “package” from the recited phrase, “encrypted content package.” Thus, claim 1, as amended, recites “a content package including the encrypted content and a license control assistant program.” As Applicant’s specification explains, Applicant’s claimed “content package” is formed of content in the form of a program including content information in, for example, a Java® applet format. Page 5, lines 19-22 (Page 5, lines 22-25 of Substitute Specification (filed July 9, 2007)). As further explained at page 5, lines 23-24 of Applicant’s specification (page 5, lines 26-27 of Substitute Specification), Applicant’s license control includes such content information. The specification further states that “the content package reads the license control information in the use ticket, and transfers it to the usage right control server.” Page 6, lines 21-25 (Page 6, line 24 – Page 7, line 1 of Substitute Specification). Thus, the content package, i.e., the program of the package, assists in the license control. Accordingly, Applicant submits that Applicant’s featured “license control assistance program” is fully supported by the application as filed, and thus it is respectfully requested that the rejection of claim 1 be withdrawn.

In view of the above, it is submitted that Applicant's claims, as amended, are in condition for allowance. Accordingly, reconsideration of the claims is respectfully requested.

Dated: August 27, 2008

COWAN, LIEBOWITZ & LATMAN, P.C.  
1133 Avenue of the Americas  
New York, NY 10036-6799  
(212) 790-9200

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Buck", with a stylized flourish at the end.

Brian H. Buck  
Registration No. 48,776